

1 BILL NO. R-85-11-42

2 RESOLUTION NO. R-132-85

3 A RESOLUTION FINDING, DETERMINING  
4 AND RATIFYING AN INDUCEMENT RESOLUTION  
5 OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION  
6 AUTHORIZING THE ISSUANCE AND SALE OF  
7 \$10,000,000.00 ECONOMIC REVENUE BONDS OF THE  
8 CITY OF FORT WAYNE, INDIANA  
9 FOR THE PURPOSE OF INDUCING THE APPLICANT  
10 TOKHEIM CORPORATION  
11 TO PROCEED WITH THE ACQUISITION  
12 CONSTRUCTION AND EQUIPPING OF THE PROJECT

13 WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is  
14 authorized by I.C. Sec. 36-7-12 (the "Act") to issue revenue  
15 bonds for the financing of economic development facilities, the  
16 funds from said financing to be used for the acquisition,  
17 construction and equipping of said facilities, and said facili-  
18 ties to be either sold or leased to another person or directly  
19 owned by another person; and

20 WHEREAS, Tokheim Corporation (the "Applicant") has advised the  
21 Fort Wayne Economic Development Commission and the Issuer that it  
22 proposes that the Issuer acquire and equip an economic development  
23 facility and sell and/or lease the same to the Applicant or loan  
24 proceeds of an economic development financing to the Applicant for  
25 the same, said economic development facility to be construction of  
26 corporate and design center, renovation of engineering laboratory  
27 and office facility and acquisition of machinery, equipment, and  
28 computer systems, together with costs of issuance, located at 1600  
29 Wabash Avenue, Fort Wayne, Indiana, (the "Project"); and

30 WHEREAS, the diversification of industry and an increase in  
31 40 new jobs to be achieved by acquisition and construction and  
32 equipping of the Project will be of public benefit to the health,  
safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic  
Development Commission, it would appear that the financing of the  
Project would be of public benefit to the health, safety and general



1 welfare of the Issuer and its citizens; and

2 WHEREAS, the acquisition and construction of the facility will  
3 not have an adverse effect on any similar facility already  
4 constructed or operating in or about Fort Wayne, Indiana.

5 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY  
6 OF FORT WAYNE, INDIANA:

7 SECTION 1. The Comon Council finds, determines, ratifies and  
8 confirms the promotion of diversification of economic development  
9 and job opportunities in and near Fort Wayne, Indiana and in Allen  
10 County, is desirable to preserve the health, safety and general  
11 welfare of the citizens of the Issuer; and that it is in the public  
12 interest that Fort Wayne Economic Development Commission and said  
13 Issuer take such action as it lawfully may to encourage diver-  
14 sification of industry and promotion of job opportunities in and  
15 near said Issuer.

16 SECTION 2. The Economic Development Commission in recommending  
17 the project, found specifically that the project will not have an  
18 adverse competitive effect on similar facilities already constructed  
19 or operating in Allen County, Indiana, and the Common Council has  
20 also held a hearing and specifically finds that the project will not  
21 have an adverse competitive effect on similar facilities already  
22 constructed or operating in Allen County, Indiana.

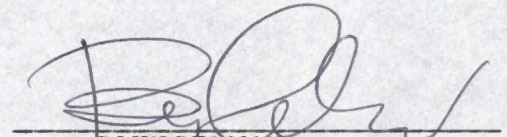
23 SECTION 3. The Common Council further finds, determines,  
24 ratifies and confirms that the issuance and sale of revenue bonds  
25 in an amount not to exceed \$10,000,000.00 of the Issuer under the  
26 Act for the acquisition, construction and equipping of the  
27 Project and the sale or leasing of such a financing to the  
28 Applicant for such purposes will serve the public purpose  
29 referred to above, in accordance with the Act.

30 SECTION 4. In order to induce the Applicant to proceed with  
31 the acquisition, construction and equipping of the Project, the  
32 Common Council hereby finds, determines, ratifies and confirms

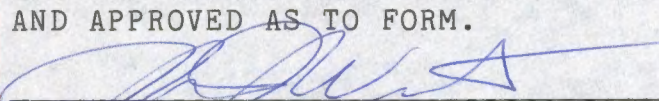


that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

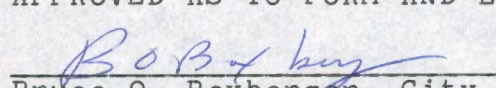
SECTION 5. All costs of the Project incurred after the passage of this Inducement Resolution, including disbursement or repayment of the Applicant of monies expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

  
COUNCILMAN

ADOPTED BY ECONOMIC DEVELOPMENT COMMISSION  
AND APPROVED AS TO FORM.

  
John J. Wernet, Attorney for the  
Economic Development Commission  
Dated this 22d day of Nov, 1985

APPROVED AS TO FORM AND LEGALITY.

  
Bruce O. Boxberger, City Attorney  
Dated this 22d day of Nov, 1985



Read the first time in full and on motion by \_\_\_\_\_  
seconded by \_\_\_\_\_, and duly adopted, read the second time  
by title and referred to the Committee \_\_\_\_\_ (and the Ci  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Way  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E

DATE: \_\_\_\_\_

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Castro  
seconded by Quint, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
TOTAL VOTES	<u>9</u>	_____	_____	_____	_____
BRADBURY	<u>✓</u>	_____	_____	_____	_____
BURNS	<u>✓</u>	_____	_____	_____	_____
EISBART	<u>✓</u>	_____	_____	_____	_____
GiaQUINTA	<u>✓</u>	_____	_____	_____	_____
HENRY	<u>✓</u>	_____	_____	_____	_____
REDD	<u>✓</u>	_____	_____	_____	_____
SCHMIDT	<u>✓</u>	_____	_____	_____	_____
STIER	<u>✓</u>	_____	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____	_____

DATE: 11-26-85

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~)

(~~SPECIAL~~) (~~ZONING MAP~~) ORDINANCE (RESOLUTION) NO. B-132-85

on the 26th day of November, 1985.

ATTEST:

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Mark E. Quint

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,

on the 27th day of November, 1985.

at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 27th day of November.

1985, at the hour of 10:00 o'clock A.M., E.S.T.

Win Moses, Jr.

WIN MOSES, JR., MAYOR

BILL NO. R-85-11-42

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS  
REFERRED AN (ORDINANCE) (RESOLUTION) \_\_\_\_\_

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)  
(RESOLUTION) DO PASS DO NOT PASS WITHDRAWN

YES

NO

BEN A. EISBART  
CHAIRMAN

JANET G. BRADBURY  
VICE CHAIRWOMAN

SAMUEL J. TALARICO

THOMAS C. HENRY

JAMES S. STIER

CONCURRED IN 11-26-85

SANDRA E. KENNEDY  
CITY CLERK